

ments. Mr. Hudspeth has been appointed to make a full report thereon.

WILLIAMS of Brazoria, Chairman.

REPORTS OF COMMITTEE ON PRIVILEGES, SUFFRAGE AND ELECTIONS.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Privileges, Suffrage and Elections, to whom was referred House bill No. 117, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Burton of Rusk has been appointed to make a full report thereon.

CLARK, Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Privileges, Suffrage and Elections, to whom was referred House bill No. 197, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Thompson of Hunt has been appointed to make a full report thereon.

Messrs. Wahrmond and Brown give notice of minority report.

CLARK, Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Privileges, Suffrage and Elections, to whom was referred House bill No. 152, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Swope has been appointed to make a full report thereon.

CLARK, Chairman.

REPORT OF COMMITTEE ON CRIMINAL JURISPRUDENCE.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 14, have had the same under consideration and I am instruct-

ed to report it back to the House with the recommendation that it do not pass.

FISHER, Vice-Chairman.

REPORT OF COMMITTEE ON APPROPRIATIONS.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Appropriations, to whom was referred House bill No. 303, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Dodd has been appointed to make a full report thereon.

PEYTON, Chairman.

REPORT OF COMMITTEE ON JUDICIAL DISTRICTS.

Committee Room,
Austin, Texas, January 23, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Judicial Districts, to whom was referred House bill No. 130, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, with amendments. Mr. Jones has been appointed to make a full report thereon.

TEMPLETON, Chairman.

FOURTEENTH DAY.

(Thursday, January 25, 1917.)

The House met at 9:30 o'clock a. m., pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called, and the following members were present:

Bagby.	Butler.
Baker.	Cadenhead.
Beard of Harris.	Canales.
Beard of Milam.	Carlock.
Beason.	Cates.
Bedell.	Clark.
Bell.	Cope.
Bertram.	Cox.
Blackburn.	Crudgington.
Blackmon.	Davis of Dallas.
Blalock.	Davis of Grimes.
Bland.	Davis
Bledsoe.	of Van Zandt.
Boner.	De Bogory.
Brown.	Denton.
Bryan.	Dodd.
Bryant.	Dudley.
Burton of Rusk.	Dunnam.
Burton of Tarrant.	Estes.

Fairchild.	Pope.
Fisher.	Raiden.
Fitzpatrick.	Reeves.
Florer.	Richards.
Fly.	Roemer.
Greenwood.	Rogers.
Haidusek.	Russell.
Hardey.	Sackett.
Harris.	Sallas.
Hartman.	Sentell.
Hawkins.	Schlesinger.
Hill.	Schlosshan.
Holland.	Scholl.
Hudspeth.	Seawright.
Johnson.	Sholars.
Jones.	Smith of Bastrop.
Laas.	Smith of Hopkins.
Lacey.	Smith of Scurry.
Laney.	Spencer of Nolan.
Lange.	Spencer of Wise.
Lanier.	Spradley.
Lee.	Stewart.
Lindemann.	Swope.
Lowe.	Taylor.
of McMullen.	Templeton.
Low.	Thomas.
of Washington.	Thomason
McComb.	of El Paso.
McCoy.	Thomason
McDowra.	of Nacogdoches.
McFarland.	Thompson
McMillin.	of Hunt.
Meador.	Thompson
Mendell.	of Red River.
Metcalfe.	Tillotson.
Miller of Austin.	Tilson.
Miller of Dallas.	Tinner.
Monday.	Trayler.
Moore.	Tschoepe.
Morris.	Upchurch.
Murrell.	Valentine.
Neeley.	Veatch.
Neill.	Wahrmond.
Nichols.	Walker.
Nordhaus.	White.
O'Banion.	Williams
O'Brien.	of Brazoria.
Osborne.	Williford.
Parks.	Wilson.
Peddy.	Woods.
Peyton.	Woodul.
Pillow.	Yantis.
Poage.	

Absent.

Beasley.	Terrell.
Martin.	Williams
Robertson.	of McLennan.
Strayhorn.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

MOTION TO GRANT LEAVE OF ABSENCE.

Mr. Peyton moved that Mr. Beasley be granted leave of absence for today on

account of important business, and the motion was lost.

CALL OF THE HOUSE ORDERED.

Mr. Cope moved a call of the House for the purpose of maintaining a quorum until House Joint Resolution No. 1, set as a special order for today, is taken up and disposed of, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The Clerk was directed to call the roll and note the absentees.

The roll was called, and the following members were reported absent without leave:

Messrs. Beasley, Martin, Robertson, Strayhorn, Terrell and Williams of McLennan.

On motion of Mr. Cope, the Sergeant-at-Arms was then instructed to bring in the absentees.

Pending the call of the House, the following members came in and were announced present:

Messrs. Martin, Strayhorn and Terrell.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Schlesinger and Mr. Mendell:

H. B. No. 448, A bill to be entitled "An Act to amend Article 7377, Chapter 2, Title 126, Revised Civil Statutes of 1911, providing for the payment of an occupation tax by wholesale dealers in oil, naphtha, benzine or other mineral oils refined from petroleum, and defining 'wholesale dealers.'"

Referred to Committee on Revenue and Taxation.

By Mr. Wilson:

H. B. No. 449, A bill to be entitled "An Act amending Section 1 of Chapter 147 of the Acts of the Thirty-fourth Legislature of the State of Texas at its Regular Session, being House bill No. 40, and entitled 'An Act making it the duty of tax collectors to prepare and mail notices and statements of delinquent taxes to the owners of real estate; prescribing the time in which

such notices or statements shall be mailed, and the manner in which they shall be prepared; providing for the perfecting of delinquent tax records of the various counties, and making it the duty of the tax collector to prepare such records in certain instances, together with supplements thereto; making it the duty of the county and district attorneys to file and institute suits for the collection of delinquent taxes; providing for the issuance of redemption receipts and other statements by the tax collectors and for the approval of tax records by the commissioners court and the Comptroller of Public Accounts; providing reasonable compensation for the additional duties prescribed in this act for county officers; making the provisions of this act mandatory; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Cox:

H. B. No. 450, A bill to be entitled "An Act to amend subdivision 2, Article 7355, Chapter 1, Title 126, of the Revised Statutes of the State of Texas for 1911, levying an occupation tax upon traveling venders of patent medicines."

Referred to Committee on Revenue and Taxation.

By Mr. Neeley:

H. B. No. 451, A bill to be entitled "An Act to provide for the purchase of a site for, and for the establishment, location and construction of, an asylum in South Texas for the care, treatment and support of negro insane persons, and to make an appropriation therefor, and declaring an emergency."

Referred to Committee on State Asylums.

By Mr. Beard of Milam, Mr. Davis of Grimes, Mr. Estes and Mr. Fuller:

H. B. No. 452, A bill to be entitled "An Act to reorganize the Twentieth Judicial District of Texas and to create the Eighty-third Judicial District of Texas, to fix the time of holding court in said districts and to provide for organizing grand juries at certain terms in said courts; to provide for the retention of the judge of the Twentieth Judicial District in office and for the appointment of a judge of the said Eighty-third Judicial District; to abolish the office of district attorney for the said Twentieth Judicial District,

and to provide that the county attorneys of the said three counties of Milam, Robertson and Brazos shall perform the duties of the district attorney for said district; providing for the retention of the district clerks of said three counties in office; to diminish the civil and criminal jurisdiction of the county courts of Robertson and Brazos counties, and to conform the jurisdiction of the district court of said counties to said change; providing for the appointment of an official court reporter, and to fix his compensation; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judicial Districts.

BILLS ORDERED PRINTED.

On motion of Mr. Blalock, it was ordered that House bill No. 359, reported unfavorably, be printed.

On motion of Mr. Metcalf, it was ordered that 500 copies of House bill No. 250 be printed.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Dodd, it was ordered that House bill No. 412 be not printed.

On motion of Mr. Sallas, it was ordered that House bill No. 414 be not printed.

On motion of Mr. Greenwood, it was ordered that House bill No. 425 be not printed.

BILL RE-REFERRED.

On motion of Mr. Holland, Senate bill No. 71 was withdrawn from the Committee on Mines and Mining and re-referred to the Committee on Labor.

RELATING TO DONATION OF COLLEGE TO THE STATE.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 7, To provide for appointment of committee to investigate proposition to donate John Tarleton College to the State.

Whereas, The citizenship of Stephenville and Erath county propose to donate to the State of Texas what is known now as the John Tarleton College, consisting of the main building, girls' dormitory and art building, all modern new brick buildings and equipments valued at \$85,000; and also a campus of forty acres of land, located in about four hundred

yards of the depot at Stephenville, and within less than one mile of the courthouse valued at \$40,000; also 500 acres of land located near the campus of the John Tarleton College, all tillable, nearly all in cultivation and being good farming land, within one mile of the town of Stephenville, valued at \$50,000; also a students' loan fund of \$75,000, to be used by the Board of Regents in control of this institution, to be loaned to the students attending this college, at a rate of interest not exceeding 5 per cent, upon such terms and plans as devised, either in the bills hereinafter introduced, either by said college or the board in control, the sum being a grand total of \$250,000, this donation to be made provided the State will establish a junior branch of the A. and M. College at said place, said branch to be placed under the control and management of the Board of Regents of the present A. and M. College of Texas; and

Whereas, The expenses incurred by reason of this investigation are to be paid by said citizens of Stephenville, Texas; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That a committee of five members of the Senate, to be appointed by the President of the Senate, and five members of the House, to be appointed by the Speaker of the House of Representatives, and the Governor of Texas, the Hon. James E. Ferguson, or some one delegated by him, may be selected as a committee to visit said city of Stephenville not later than January 30, 1917, to go through said buildings and grounds, investigate thoroughly the aforesaid proposition, and report back to the Legislature and to the Governor of this State, not later than February 3, 1917, the said committee making a full and complete report in writing, addressed to the Governor of this State, the President of the Senate and the Speaker of the House of Representatives, making full recommendations as in the judgment of the said committee they deem proper and expedient, and it is so ordered.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee on the part of the House:

Messrs. Miller of Dallas, Low of Washington, Blalock, Thomason of Nacogdoches and Johnson.

RELATING TO PRINTING OF BILLS.

Mr. Burton of Tarrant offered the following resolution:

Whereas, in the printed bills and resolutions of the House there appears more captions than are necessary or required by the rules, thus costing the State more money to print them than is necessary, therefore, be it

Resolved That the bills and resolutions of the House be edited by Mr. Savage, clerk of the Contingent Expense Committee, before same are printed and that such surplus matter that does not in any way affect the merits of the measure be eliminated from the copy furnished to the printer.

Signed—Burton of Tarrant, Cates.

The resolution was read and was referred by the Speaker to the Committee on Rules.

SENATE BILL NO. 40 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 40, A bill to be entitled "An Act to make appropriation to cover the cost of a fireproof brick dormitory at the Prairie View State Normal and Industrial College at Prairie View, Waller county, Texas, and declaring an emergency."

The bill was read third time.

Question—Shall the bill be passed?

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—113.

Mr. Speaker.	Davis of Grimes.
Bagby.	Davis
Baker.	of Van Zandt.
Beard of Milam.	De Bogory.
Beason.	Denton.
Bell.	Dodd.
Blackburn.	Dudley.
Blalock.	Dunnam.
Bledsoe.	Estes.
Boner.	Fairchild.
Bryan.	Fisher.
Bryant.	Florer.
Burton of Rusk.	Fly.
Burton of Tarrant.	Greenwood.
Butler.	Haidusek.
Canales.	Hardey.
Carlock.	Harris.
Cates.	Hawkins.
Clark.	Hill.
Cope.	Holland.
Cox.	Hudspeth.
Crudgington.	Johnson.
Davis of Dallas.	Jones.

Laas.	Russell.
Lacey.	Sackett.
Laney.	Sallas.
Lange.	Sentell.
Lanier.	Schlesinger.
Lindemann.	Schlosshan.
Low	Scholl.
of Washington.	Seawright.
McComb.	Sholars.
McCoy.	Smith of Bastrop.
McDowra.	Smith of Hopkins.
McFarland.	Smith of Scurry.
Martin.	Spencer of Nolan.
Meador.	Spencer of Wise.
Mendell.	Spradley.
Metcalf.	Swope.
Miller of Austin.	Taylor.
Monday.	Templeton.
Moore.	Thomas.
Murrell.	Thomason
Neeley.	of El Paso.
Nichols.	Thomason
Nordhaus.	of Nacogdoches.
O'Banion.	Tillotson.
O'Brien.	Tschoepe.
Osborne.	Upchurch.
Parks.	Valentine.
Peddy.	Veatch.
Peyton.	Wahrmond.
Pillow.	White.
Poage.	Williams
Pope.	of Brazoria.
Reeves.	Williford.
Richards.	Wilson.
Roemer.	Woods.
Rogers.	Woodul.

Nays—22.

Beard of Harris.	Miller of Dallas.
Bedell.	Morris.
Bertram.	Neill.
Blackmon.	Raiden.
Bland.	Thompson
Brown.	of Hunt.
Cadenhead.	Thompson
Fitzpatrick.	of Red River.
Hartman.	Tilson.
Lee.	Tinner.
Lowe	Walker.
of McMullen.	Yantis.
McMillin.	

Present—Not Voting.

Stewart.

Absent.

Beasley.	Traylor.
Robertson.	Williams
Strayhorn.	of McLennan.
Terrell.	

Reason for Vote.

I vote "no" because I am opposed to appropriating large sums of money to negro schools until the white schools are properly provided for. As long as

there are "shacks" at the University and "tents" at the A. & M. I will vote against all appropriations to negro schools.

BEARD of Harris.

SENATE BILL NO. 146 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 146, A bill to be entitled "An Act to incorporate Hearne Independent School District in Robertson county, Texas, for free school purposes only; defining its boundaries; divesting the city of Hearne of the control of its public free schools and of its school property, and vesting the same in said independent school district and its board of trustees; providing that all funds belonging or owing to said city schools shall inure to the benefit of said independent school district, and that all contracts made by the board of trustees of said city school shall be carried out by the board of trustees of said independent school district, but that said district shall never be liable for any indebtedness of said city; providing for a board of trustees for said district and describing the rights, powers and duties of said Hearne Independent School District, and providing for changes of lines in said district, and declaring an emergency."

The bill was read third time.

Question—Shall the bill be passed?

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—137.

Mr. Speaker.	Carlock.
Bagby.	Cates.
Baker.	Clark.
Beard of Harris.	Cope.
Beard of Milam.	Cox.
Beason.	Crudgington.
Bedell.	Davis of Dallas.
Bell.	Davis of Grimes.
Bertram.	Davis
Blackburn.	of Van Zandt.
Blackmon.	De Bogory.
Blalock.	Denton.
Bland.	Dodd.
Bledsoe.	Dudley.
Boner.	Dunnam.
Brown.	Estes.
Bryan.	Fairchild.
Bryant.	Fisher.
Burton of Rusk.	Fitzpatrick.
Burton of Tarrant.	Florer.
Butler.	Fly.
Cadenhead.	Greenwood.
Canales.	Haidusek.

Hardey.	Roemer.
Harris.	Rogers.
Hartman.	Russell.
Hawkins.	Sackett.
Hill.	Sallas.
Holland.	Sentell.
Hudspeth.	Schlesinger.
Johnson.	Schlosshan.
Jones.	Scholl.
Laas.	Seawright.
Lacey.	Sholars.
Laney.	Smith of Bastrop.
Lange.	Smith of Hopkins.
Lanier.	Smith of Scurry.
Lee.	Spencer of Nolan.
Lindemann.	Spencer of Wise.
Lowe	Spradley.
of McMullen.	Stewart.
Low	Strayhorn.
of Washington.	Swope.
McComb.	Taylor.
McCoy.	Templeton.
McDowra.	Thomas.
McFarland.	Thomason.
McMillin.	of El Paso.
Martin.	Thomason
Meador.	of Nacogdoches.
Mendell.	Thompson
Metcalfe.	of Hunt.
Miller of Austin.	Thompson
Miller of Dallas.	of Red River.
Moore.	Tillotson.
Morris.	Tilson.
Murrell.	Tinner.
Neeley.	Trayler.
Neill.	Tschoepe.
Nichols.	Upchurch.
Nordhaus.	Valentine.
O'Banion.	Veatch.
O'Brien.	Wahrmund.
Osborne.	Walker.
Parks.	White.
Peddy.	Williams
Peyton.	of Brazoria.
Pillow.	Williford.
Poage.	Wilson.
Pope.	Woods.
Raiden.	Woodul.
Reeves.	Yantis.
Richards.	

Absent.

Beasley.	Terrell.
Monday.	Williams
Robertson.	of McLennan.

SENATE BILL NO. 9 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 9; A bill to be entitled "An Act to amend Section 116 of Chapter 96, Acts of Regular Session of the Thirty-second Legislature, providing for the granting of teachers' certificates, and declaring an emergency."

The bill was read second time.

Mr. Canales offered the following amendment to the bill:

Amend by adding after the word "authority," in line 37, page 1, the following paragraph:

"Any school applying for approval under the provisions of this act shall pay a fee of twenty-five dollars, and each applicant for teacher's certificate on college credentials shall pay a fee of one dollar to cover the expenses of inspection and standardization of approved colleges. It shall be the duty of the State Superintendent of Public Instruction to appoint a suitable person or persons of recognized college standing, who shall make a thorough inspection of the equipment and standards of instruction maintained in each school applying for approval under this act and who shall make a detailed report to the State Board of Examiners for their consideration before any recommendation is made to the State Superintendent of Public Instruction for his approval. The State Superintendent shall have each school receiving the benefits of this act thoroughly inspected from year to year as to its standards and facilities of instruction, and he shall have authority to suspend any school from the benefits of this act which fails for any reason to maintain the approved standards of classification."

Question—Shall the amendment be adopted?

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, January 25, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the resolution granting the House permission to take up and consider House Joint Resolution No. 1.

Respectfully,

JOHN D. McCALL,
Secretary of the Senate.

HOUSE JOINT RESOLUTION NO. 1 ON PASSAGE TO ENGROSSMENT.

(Special Order.)

The Speaker then laid before the House, as a special order for this hour, on its passage to engrossment,

H. J. R. No. 1, Proposing an amendment to the Constitution of the State of Texas by striking out and repealing Section 20 of Article 16 thereto, and

a new Section 20, providing for the prohibition of the manufacture, sale, barter, exchange, or transportation within this State of intoxicating liquors except for specified purposes, and providing for enactment of laws to enforce this section, and providing for retention of substituting in lieu of said Section 20, present laws relating to liquor traffic now in force until modified or repealed.

The resolution having been read second time on Friday, January 19, and on that day set as a special order for this hour.

Mr. Bagby moved that all the matters which relate to and are a part of the discussion and reasons offered upon the floor of the House relating to House Joint Resolution No. 1 be made a part of the official Journal of the House, and a stenographic report thereof be made.

The Speaker announced that there were objections to the consideration of the motion.

Mr. Morris offered the following (committee) amendment to the resolution:

Amend House Joint Resolution No. 1 by striking out all below the enacting clause and inserting the following:

"Section 1. That Article 16 of the Constitution of the State of Texas be amended by striking out and repealing Section 20 thereof, and substituting in lieu of said Section 20 the following:

"Section 20. The manufacture for purposes of sale, barter or exchange, and the sale, barter and exchange of intoxicating liquors on and after the first day of March, A. D. 1918, is hereby prohibited within this State, except for medicinal, scientific and sacramental purposes. The Legislature of the State of Texas shall, at noon, on the first day of March, A. D. 1918, by authority of this section, meet in session in the city of Austin, and pass efficient laws to enforce this section; but nothing in this section shall prevent any session of the Legislature from passing any law to enforce the same; and all laws in force when this amendment is adopted providing remedies, penalties or forfeitures in relation to the manufacture, sale or transportation of intoxicating liquors shall remain in full force and effect until modified or repealed."

"Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors for members of the Legislature at an election to be held throughout the State of Texas on the fourth Saturday in July, being the twenty-eighth day thereof, A. D. 1917. At

said election the vote shall be by official ballot, which shall have printed or written at the top thereof in plain letters the words 'Official Ballot.' Said ballot shall have also written or printed thereon the words 'For the amendment to the Constitution providing for Statewide prohibition,' and the words 'Against the amendment to the Constitution providing for Statewide prohibition.'

"All the voters favoring said proposed amendment shall erase the words 'Against the amendment to the Constitution providing for Statewide prohibition' by making a mark through the same, and those opposing it shall erase the words 'For the amendment to the Constitution providing for Statewide prohibition.'

"If a majority of the votes cast at said election shall be 'For the amendment to the Constitution providing for Statewide prohibition,' said amendment shall be declared adopted. If a majority of the votes shall be 'Against the amendment to the Constitution providing for Statewide prohibition,' said amendment shall be lost and so declared.

"All the provisions of the general election laws as amended and in force at the time said election is held shall govern in all respects as to the qualifications of the electors, the method of holding such election, and in all other respects, as far as such election laws can be made applicable.

"Sec. 3. The Governor of this State is hereby directed to issue the necessary proclamation for said election and to have the same published as required by the Constitution and laws of this State.

"Sec. 4. The sum of five thousand dollars (\$5000), or so much thereof as may be necessary, is hereby appropriated out of any funds in the State Treasury, not otherwise appropriated, to defray the expenses of such proclamation, publication and election."

Mr. Bagby offered the following substitute for the (committee) amendment:

I move to substitute the following for (committee) amendment to House Joint Resolution No. 1:

Section 1. That Article 16 of the Constitution of the State of Texas be amended by striking out and repealing Section 20 thereof, and substituting in lieu of said Section 20, the following:

"Section 20. The manufacture, sale, exchange and intrastate shipment of spirituous, vinous and malt liquors and medicated bitters, capable of producing intoxication, except for medicinal, scien-

tific and sacramental purposes on and after the first day of March, A. D. 1918, is hereby prohibited within this State. The Legislature of the State of Texas shall, at noon, on the first day of March, A. D. 1918, by authority of this section, meet in session in the city of Austin, and pass efficient laws to enforce this section; but nothing in this section shall prevent any session of the Legislature from passing any law to enforce the same; and all laws in force when this amendment is adopted providing remedies, penalties or forfeitures in relation to the manufacture, sale or transportation of intoxicating liquors shall remain in full force and effect until modified or repealed."

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors for members of the Legislature at an election to be held throughout the State of Texas on the fourth Saturday in July, being the twenty-eighth day thereof, A. D. 1917. At said election the vote shall be by official ballot, which shall have printed or written at the top thereof in plain letters the words, "Official Ballot." Said ballot shall have also written or printed thereon the words, "For the amendment to the Constitution providing for State-wide prohibition," and the words "Against the amendment to the Constitution providing for Statewide prohibition."

All the voters favoring said proposed amendment shall erase the words, "Against the amendment to the Constitution providing for Statewide prohibition," by making a mark through the same, and those opposing it shall erase the words, "For the amendment to the Constitution providing for Statewide prohibition."

If a majority of the votes cast at said election shall be "For the amendment to the Constitution providing for Statewide prohibition," said amendment shall be declared adopted. If a majority of the votes shall be "Against the amendment to the Constitution providing for Statewide prohibition," said amendment shall be lost and so declared.

All the provisions of the general election laws as amended and in force at the time said election is held shall govern in all respects as to the qualifications of the electors, the method of holding such election, and in all other respects, as far as such election laws can be made applicable.

Sec. 3. The Governor of this State is hereby directed to issue the necessary proclamation for said election and to have the same published as required by the Constitution and laws of this State.

Sec. 4. The sum of five thousand (\$5,000) dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State Treasury, not otherwise appropriated, to defray the expenses of such proclamation, publication and election.

Mr. Fly moved the previous question on the substitute and the (committee) amendment, and the main question was ordered.

Question first recurring on the substitute by Mr. Bagby, yeas and nays were demanded.

The substitute was lost by the following vote:

Yeas—46.

Bagby.	Martin.
Beard of Harris.	Mendell.
Beason.	Metcalfe.
Bland.	Monday.
Burton of Tarrant.	Moore.
Canales.	Nordhaus.
Carlock.	Parks.
Cates.	Pillow.
Cox.	Poage.
Davis of Grimes.	Roemer.
Dudley.	Sallas.
Dunnam.	Schlesinger.
Fisher.	Schlosshan.
Fitzpatrick.	Sholars.
Greenwood.	Swope.
Haidusek.	Taylor.
Hardey.	Thomason
Harris.	of El Paso.
Holland.	Thompson
Lange.	of Red River.
Lanier.	Tschoepe.
Lindemann.	Valentine.
Low	Walker.
of Washington.	White.
McFarland.	

Nays—93.

Mr. Speaker.	Butler.
Baker.	Cadenhead.
Beard of Milam.	Clark.
Bedell.	Cope.
Bell.	Crudgington.
Bertram.	Davis of Dallas.
Blackburn.	Davis
Blackmon.	of Van Zandt.
Blalock.	De Bogory.
Bledsoe.	Denton.
Boner.	Dodd.
Brown.	Estes.
Bryan.	Fairchild.
Bryant.	Florer.
Burton of Rusk.	Fly.

Hartman.	Russell.
Hawkins.	Sackett.
Hill.	Sentell.
Hudspeth.	Scholl.
Johnson.	Seawright.
Jones.	Smith of Bastrop.
Laas.	Smith of Hopkins.
Lacey.	Smith of Scurry.
Laney.	Spencer of Nolan.
Lee.	Spencer of Wise.
Lowe	Spradley.
of McMullen.	Stewart.
McComb.	Strayhorn.
McCoy.	Templeton.
McDowra.	Terrell.
McMillin.	Thomas.
Meador.	Thomason
Miller of Austin.	of Nacogdoches.
Miller of Dallas.	Thompson
Morris.	of Hunt.
Murrell.	Tillotson.
Neeley.	Tilson.
Neill.	Tinner.
Nichols.	Trayler.
O'Banion.	Upchurch.
O'Brien.	Veatch.
Osborne.	Wahrmund.
Peddy.	Williams
Peyton.	of Brazoria.
Pope.	Williford.
Raiden.	Wilson.
Reeves.	Woods.
Richards.	Woodul.
Rogers.	Yantis.

Absent.

Beasley.	Williams
Robertson.	of McLennan.

Reasons for Votes.

I vote "yea" because the Bagby substitute is the only one which directly expresses the will of the people of my district at the polls. If we are to have prohibition I wish it to be absolute and effective. I have obeyed my people.

BURTON of Tarrant.

I vote "yea" on the substitute offered by the gentleman of Lavaca, Mr. Bagby, because in my judgment it would give us a better prohibition amendment, a self-enforcing one, and one in conformity with the wishes of the people as expressed at the last primary. I believe in passing a prohibition amendment that will prohibit the manufacture and sale of so-called medicines capable of producing intoxication, such as Peruna, medicated bitters, etc., which, in my judgment, are sold in defiance of law and for the purpose of evading the law. The substitute will give us a better prohibition amendment, and I am surprised that the prohibition members of the

House should oppose same merely because it was offered by an anti-prohibitionist when in fact it is a stronger than the one proposed by the majority.

CANALES.

Question next recurring on the (committee) amendment, it was adopted.

Mr. Neeley offered the following amendment to the resolution:

Amend the committee substitute, page 4, line 2, by inserting after the word "scientific" the word "fuel."

Signed—Neeley, Davis of Grimes.

The amendment was adopted.

Mr. Nichols offered the following (committee) amendment to the resolution:

Amendment House Joint Resolution No. 1 by striking out all above the enacting clause and insert the following caption: "A resolution proposing to amend the Constitution of the State of Texas by amending Article 16, Section 20, thereof by striking out and repealing said section, and substituting in lieu thereof a new Section 20, prohibiting the manufacture for purposes of sale, barter or exchange, and the sale, barter and exchange of intoxicating liquors, on and after the first day of March, A. D. 1918, within this State, except for medicinal, scientific, fuel and sacramental purposes, and providing that the Legislature of the State of Texas shall at noon on the first day of March, A. D. 1918, by authority of this section, meet in session in the city of Austin and pass efficient laws to enforce this section; providing further, that this section shall not prevent any session of the Legislature from passing any law to enforce the same; and providing further, that all laws in force when this amendment is adopted, providing penalties or forfeitures in relation to the manufacture, sale or transportation of intoxicating liquors, shall remain in full force and effect until modified or repealed; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment, directing a proclamation therefor and making certain provisions for said election and the ballots thereof, and method of voting; prescribing certain duties for the Governor of this State, and making an appropriation to defray the expenses of said election."

The (committee) amendment was adopted.

The Clerk was directed to call the roll, and the resolution was passed to engrossment by the following vote:

Yea—91.

Mr. Speaker.	Moore.
Baker.	Morris.
Beard of Milam.	Murrell.
Bedell.	Neeley.
Bell.	Neill.
Bertram.	Nichols.
Blackburn.	O'Banion.
Blackmon.	Osborne.
Blalock.	Parks.
Bledsoe.	Peddy.
Boner.	Peyton.
Bryan.	Poage.
Bryant.	Raiden.
Burton of Rusk.	Reeves.
Butler.	Richards.
Cadenhead.	Rogers.
Canales.	Russell.
Carlock.	Sackett.
Clark.	Sentell.
Cope.	Seawright.
Crudgington.	Smith of Bastrop.
Davis of Dallas.	Smith of Hopkins.
Davis of Grimes.	Smith of Scurry.
Davis of Van Zandt.	Spencer of Nolan.
De Bogory.	Spencer of Wise.
Dodd.	Spradley.
Dunnam.	Stewart.
Estes.	Templeton.
Fairchild.	Terrell.
Florer.	Thomas.
Fly.	Thomason
Hawkins.	of Nacogdoches.
Hill.	Thompson
Hudspeth.	of Hunt.
Johnson.	Thompson
Jones.	of Red River.
Lacey.	Tilson.
Laney.	Tinner.
Lee.	Traylor.
McComb.	Upchurch.
McCoy.	Veatch.
McDowra.	White.
McMillin.	Williams
Meador.	of Brazoria.
Metcalf.	Williford.
Miller of Dallas.	Wilson.
Monday.	Woods.
	Yantis.

Nays—48.

Bagby.	Harris.
Beard of Harris.	Hartman.
Beason.	Holland.
Bland.	Laas.
Brown.	Lange.
Burton of Tarrant.	Lanier.
Oates.	Lindemann.
Cox.	Lowe.
Denton.	of McMullen.
Dudley.	Low
Fisher.	of Washington.
Fitzpatrick.	McFarland.
Greenwood.	Martin.
Haidusek.	Mendell.
Hardey.	Miller of Austin.

Nordhaus.	Swope.
O'Brien.	Taylor.
Pillow.	Thomason
Pope.	of El Paso.
Roemer.	Tillotson.
Sallas.	Tschoepe.
Schlesinger.	Valentine.
Schlosshan.	Wahrmund.
Scholl.	Walker.
Sholars.	Woodul.
Strayhorn.	

Absent.

Beasley.	Williams
Robertson.	of McLennan.

Reasons for Votes.

I am instructed by my people to vote for a prohibition amendment to our Constitution but not to support any legislation which would make of our State a bootlegger's paradise, and give business to the wild-cat still; therefore, in obedience to the will of the prohibitionists of Texas who desire prohibition for the betterment of our moral conditions I refuse to be a party to the perpetration of a joke on the honest, earnest, moral citizenship of this great commonwealth.

COX.

I vote "yea" on both the committee substitute and the amendment relative to submission of the question of State-wide prohibition, because my county has so instructed me. As a Democrat, I respect the instruction of my constituency, and shall at all times, as their accredited Representative, conform to their will whenever the same has been declared in accordance with party usages.

CARLOCK.

Reserving my right as a citizen to vote and work against House Joint Resolution No. 1 when the same is before the people for adoption or rejection; I vote "yea" on the committee substitute in obedience to my pledge to the people whom I have the honor to represent in this House that I would abide the vote of the Democracy of Texas upon the question of submission, and if they decided in favor of submission I should vote for the submission of an amendment as proposed by the friends of the question in the House.

MILLER of Dallas.

I vote "nay" on House Joint Resolution No. 1 for the reason that the resolution voted on is not in the form, nor does it contain the substance of the resolution submitted to the people and voted on by them in that the resolution

voted on by the people provides that this amendment shall prohibit the manufacture, sale and intrastate shipment of the prohibited articles, and would make, if adopted, an absolutely "bone dry" State, while the resolution voted on prohibits only the manufacture for sale and does not prohibit intrastate shipments as demanded by the people in the primary, and is at best only a makeshift and will in my judgment result in continual violations of law and will not secure what our citizenship has requested by their votes in the July primary. I have voted for the amendment offered complying with the request of the people of Texas and would have gladly voted for the resolution if such amendment had been adopted, but since it has been refused, I do not consider myself bound in any way to support this resolution, when my judgment is so firmly fixed that in its present form it is not what the people of Texas desire, and will if adopted only tend to render the matter it seeks to regulate in a more unsatisfactory shape than if it had not been adopted. I consider it more of a violation of the instructions of the people to change materially, as I think is done in this resolution, the question voted on by the people than to consistently and persistently insist on the submission of the question as voted on by the people, and failing in that to refuse to become a party to a change which in my judgment would permit bootlegging in Texas.

VALENTINE.

Believing in a representative form of government, and further believing that a Representative's first duty is to the people of his district, and being instructed by a majority of the Democratic voters of my district to vote against submission, I therefore vote "nay."

TAYLOR.

ADJOURNMENT.

On motion of Mr. Tillotson, the House, at 1:45 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

REPORTS OF COMMITTEE ON CRIMINAL JURISPRUDENCE.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal

Jurisprudence, to whom was referred House bill No. 251, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

FISHER, Vice-Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 399, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

FISHER, Vice-Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 244, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

FISHER, Vice-Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 346, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

FISHER, Vice-Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 416, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

FISHER, Vice-Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 417, have had the same under consideration and I am instructed

to report it back to the House with the recommendation that it do not pass.

FISHER, Vice-Chairman.

Committee Room,

Austin, Texas January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 430, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

FISHER, Vice-Chairman.

Committee Room,

Austin, Texas January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 255, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

FISHER, Vice-Chairman.

REPORT OF COMMITTEE ON LABOR.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Labor, to whom was referred House bill No. 348, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

TAYLOR, Chairman.

REPORTS OF JUDICIARY COMMITTEE.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Judiciary Committee, to whom was referred House bill No. 44, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass. Mr. O'Banion gave notice of and has filed a minority report.

BRYANT, Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Judiciary Committee, to

whom was referred House bill No. 409, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. O'Banion has been appointed to make a full report thereon.

BRYANT, Chairman.

REPORT OF COMMITTEE ON JUDICIAL DISTRICTS.

Committee Room,

Austin, Texas January 23, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Judicial Districts, to whom was referred House bill No. 33, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Canales has been appointed to make a full report thereon.

PILLOW, Vice-Chairman.

REPORT OF COMMITTEE ON EDUCATION.

Committee Room,

Austin, Texas January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred Senate bill No. 9, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

THOMASON of Nacogdoches, Chairman.

REPORTS OF COMMITTEE ON REVENUE AND TAXATION.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred House bill No. 261, have had the same under consideration and I am instructed to report the same back to the House with the recommendation that it do not pass.

CRUDGINGTON, Vice-Chairman.

REPORT OF COMMITTEE ON PRIVILEGES, SUFFRAGE AND ELECTIONS.

Committee Room.

Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Privileges,

Suffrage and Elections, to whom was referred House bill No. 53, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, with amendments. Mr. Russell has been appointed to make a full report thereon.

CLARK, Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred House bill No. 156, have had the same under consideration and I am instructed to report the same back to the House with the recommendation that it do not pass.

CRUDGINGTON, Vice-Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. F. C. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred House bill No. 142, have had the same under consideration and I am instructed to report the same back to the House with the recommendation that it do not pass.

CRUDGINGTON, Vice-Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred House bill No. 17, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

CRUDGINGTON, Vice-Chairman.

FIFTEENTH DAY.

(Friday, January 26, 1917.)

The House met at 10 o'clock a. m., pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Bagby.	Bell.
Baker.	Bertram.
Beard of Harris.	Blackburn.
Beard of Milam.	Blackmon.
Beason.	Blalock.
Bedell.	Bland.

Bledsoe.	Neeley.
Boner.	Neill.
Brown.	Nichols.
Bryan.	Nordhaus.
Bryant.	O'Banion.
Burton of Rusk.	O'Brien.
Burton of Tarrant.	Osborne.
Butler.	Parks.
Cadenhead.	Peddy.
Canales.	Peyton.
Carlock.	Pillow.
Cates.	Poage.
Clark.	Pope.
Cope.	Raiden.
Cox.	Reeves.
Crudgington.	Richards.
Davis of Dallas.	Robertson.
Davis of Grimes.	Roemer.
Davis of Van Zandt.	Rogers.
De Bogory.	Russell.
Denton.	Sackett.
Dodd.	Sallas.
Dudley.	Sentell.
Dunnam.	Schlesinger.
Estes.	Schlosshan.
Fairchild.	Scholl.
Fisher.	Seawright.
Fitzpatrick.	Sholars.
Florer.	Smith of Bastrop.
Fly.	Smith of Hopkins.
Greenwood.	Smith of Scurry.
Haidusek.	Spencer of Nolan.
Hardey.	Spencer of Wise.
Harris.	Spradley.
Hartman.	Stewart.
Hawkins.	Strayhorn.
Hill.	Swope.
Holland.	Taylor.
Hudspeth.	Templeton.
Johnson.	Thomas.
Jones.	Thomason of El Paso.
Laas.	Thomason of Nacogdoches.
Lacey.	Thompson of Hunt.
Laney.	Thompson of Red River.
Lanier.	Tillotson.
Lee.	Tilson.
Lindemann.	Tinner.
Lowe of McMullen.	Traylor.
Low of Washington.	Tschoepe.
McComb.	Upchurch.
McCoy.	Valentine.
McDowra.	Veatch.
McFarland.	Wahrmond.
McMillin.	Walker.
Martin.	White.
Meador.	Williams of Brazoria.
Mendell.	Williford.
Metcalfe.	Wilson.
Miller of Austin.	Woods.
Miller of Dallas.	Woodul.
Monday.	Yantis.
Moore.	
Morris.	
Murrell.	